

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

STOREY CONSTRUCTION INC.,

Plaintiff,

08 Civ. 00976 (GBD)

-against-

M&I MARBLE WORKS LTD., d/b/a  
MARBLE SOLUTIONS,

Defendant.

-----X

**NOTICE OF VOLUNTARY  
DISMISSAL**

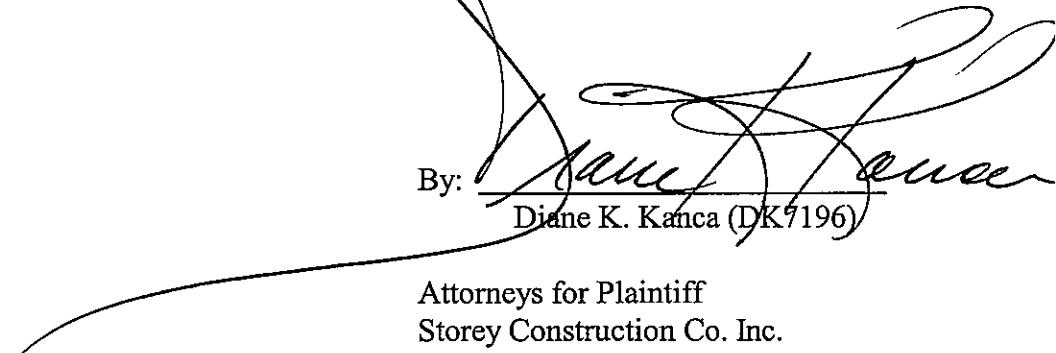
PLEASE TAKE NOTICE, that the above-entitled action is hereby dismissed  
without prejudice, pursuant to Rule 41 (a) (1) (A) (i) of the Federal Rules of Civil Procedure.

Dated: Westchester, New York  
May 8, 2008

Respectfully Submitted,

McDonough Marcus Cohn Tretter  
Heller & Kanca, LLP

By:

  
Diane K. Kanca (DK7196)

Atorneys for Plaintiff  
Storey Construction Co. Inc.  
145 Huguenot Street  
New Rochelle, New York 10801  
(914) 632-4700  
Fax (914) 632-3329  
[DianeKanca@aol.com](mailto:DianeKanca@aol.com)

To:

Michael J. Siris  
Solomon & Siris, PC  
50 Charles Lindbergh Blvd.  
Suite 505A  
Uniondale, NY 11553  
(516) 228-9350  
Fax (516) 228-4305

**AFFIDAVIT OF SERVICE BY MAIL**

STATE OF NEW YORK )  
COUNTY OF WESTCHESTER )ss.:

**PILAR ORTIZ**, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides in Bronx, New York. That on the 8<sup>th</sup> day of May 2008, deponent served the within **NOTICE OF VOLUNTARY DISMISSAL** via First Class Mail upon:

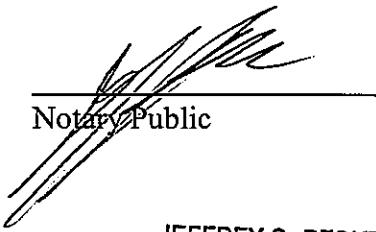
Michael J. Siris  
Solomon & Siris, PC  
50 Charles Lindbergh Blvd.  
Suite 505A  
Uniondale, NY 11553  
(516) 228-9350

by depositing a true copy of same enclosed in a postpaid properly addressed wrapper in an official depository box under the exclusive care and custody of the United States Post Office Department within the State of New York.



**PILAR ORTIZ**

Sworn to before me this  
8<sup>th</sup> day of May 2008



Notary Public

JEFFREY S. PESKE  
Notary Public, State of New York  
No. 02PE6104075  
Qualified in Westchester County  
Commission Expires Jan. 12, 2011

**AFFIDAVIT OF SERVICE BY ECF**

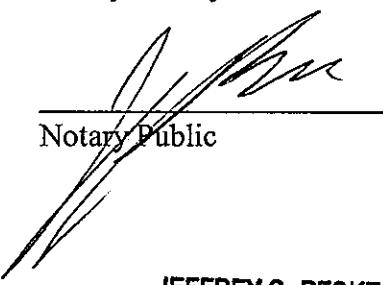
STATE OF NEW YORK )  
COUNTY OF WESTCHESTER )ss.:

PILAR ORTIZ, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides in Bronx, New York. That on the 8<sup>th</sup> day of May 2008, deponent served the within **NOTICE OF VOLUNTARY DISMISSAL** via Electronic Case Filing.



Pilar Ortiz

Sworn to before me this  
8<sup>th</sup> day of May 2008



\_\_\_\_\_  
Notary Public

JEFFREY S. PESKE  
Notary Public, State of New York  
No. 02PE6104075  
Qualified in Westchester County  
Commission Expires Jan. 12, 2012